



12-20-04

DAC#
E2W

Express Mail No. EV 456932732 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ruddy *et al.*

Confirmation No.: 7064

Serial No.: 08/852,495

Art Unit: 1634

Filed: May 7, 1997

Examiner: Goldberg, Jeanine

For: POLYMORPHISMS IN THE
REGION OF THE HUMAN
HEMOCHROMATOSIS GENE

Attorney Docket No: 8907-057-999

**PETITION UNDER 37 C.F.R. § 1.182 TO REQUEST WITHDRAWAL OF A RECORDED
TERMINAL DISCLAIMER**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request, pursuant to 37 C.F.R. § 1.182, that the Terminal Disclaimer filed January 25, 2001, in connection to the above-identified patent application be nullified or withdrawn.

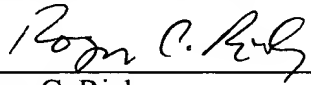
The Terminal Disclaimer filed January 25, 2001, was submitted in response to a nonstatutory double patenting rejection of Claims 37-44 made by the Patent Office over Claim 1 of U.S. Patent No. 5,872,237. *See* Office Action mailed July 31, 2000, page 2. Claims 37-44 have been canceled and are not currently pending in the above-identified application.

12/22/2004 EXHIBIT 00000078 802012 00000000
01 FC:1452 400.00 00

The Commissioner is authorized to charge the \$130.00 fee, pursuant to 37 C.F.R. § 1.17(h), believed to be due in connection with this Petition. No other fees are believed to be due. However, the Commissioner is hereby authorized to charge any required fee(s), any necessary fee under 37 C.F.R. § 1.17, or credit any overpayment to Jones Day Deposit Account No. 503013 (order no. 043018-999057).

Respectfully submitted,

Date: December 17, 2004



Roger C. Rich (Reg. No.) 54,398
For: Nikolaos C. George (Reg. No. 39,201)

JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939